HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4775/2007

Petitioner	1.	Anand Mohan Mishra, aged about 47 years, son of Shri N.K. Mishra, resident of Sanjay Ward, Bhatapara, Distt. Raipur (C.G).
		Smt. Shobha Mishra, wife of Shri Anand Mohan Mishra, aged about 44 years, resident of Sanjay Ward, Bhatapara, Distt. Raipur (C.G)
		Versus
RESPONDENTS	1	State of Chhattisgarh, through the Secretary, Department of School Education, Mantralay, D.K.S. Bhawan, Raipur (C.G)
	2.	The Collector, Distt. Raipur (C.G)
	3.	The District Education Officer, Distt. Raipur (C.G).
	4.	The Block Education Officer, Bhatapara, Distt. Raipur (C.G)
	5.	Maninder Singh, s/o Gurvachan Singh, aged about 40 years, Mahamantri – Bharatiya Janata Party – Bhatapara, resident of Balbhadra Ward, Bhatapara , Distt. Raipur (C.G)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Ashok Soni, counsel for the petitioner.

Ku. Deepali Pandey, counsel for the State/respondents no.1 to 4 on advance copy.

ORAL ORDER
(17.8.2007)

Sunil Kumar Sinha, J,

Heard.

The petitioners, who are husband and wife, have been transferred by a common order dated 22.7.2007 to different places on administrative grounds.

(29)

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Learned counsel for the petitioner argues that both the petitioners were working at Bhatapara where they were peacefully performing their duties as they were posted at the same place, but now on account of the order dated 22.7.2007 (Annexure P-1), they will have to go and work at two different places which will be difficult for the petitioners. He submits that there is a Circular of the Government regarding posting of husband and wife, which provides that as far as possible the husband and wife shall be posted at one place.

After hearing the learned counsel for the parties and after going through the records, I am of the opinion that ends of justice would be served if the petitioners are granted an opportunity of filing a representation before the concerned authority and the said authority is directed to consider and decide the said representation at the earliest.

Accordingly, it is directed that if so advised, the petitioners may file a representation before the concerned authority within a period of 15 days from today and if such a representation is filed, the same shall be disposed of by the said authorities at the earliest keeping in mind the difficulties to be faced by the husband and wife when both ~~they~~ are in service and are posted at different places.

This petition stands disposed of with the aforesaid observations.

C.c. as per rules.

Sd/-
Sunil Kumar Sinha
Judge

Rao